

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: October 12, 2005]²

Bill No. and sponsor: H.R. 1904 (Mr. Tom DeLay of Texas).

Proponent name, location: Rhodia Corp., Cranbury, NJ.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2009.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Lutetium oxide (CAS No. 12032-20-1) (provided for in subheading 2846.90.80).

Check one: ☒ Same as that in bill as introduced.
 ☐ Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

Lutetium oxide, imported primarily from France and secondarily from China, is used to produce scintillator crystals that are used in PET scanners.

Estimated effect on customs revenue:

HTS subheading: 2846.90.80					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$2,903,811	\$2,903,811	\$2,903,811	\$2,903,811	\$2,903,811
Customs revenue loss	\$107,441	\$107,441	\$107,441	\$107,441	\$107,441

Source of estimated dutiable import data: Industry estimates.

Contacts with domestic firms/organizations (including the proponent):

¹ Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Rhodia Corp. (proponent) Rick Valentine, 202-661-3802	8/24/2005	No	No	No
MolyCorp. John Benfield, 760-856-7616	9/2/2005	No	No	No
Santoku Americas Randall Ice, 623-936-1481	9/2/2005	No	No	No
PIDC Bill Germond, 734-930-9292	9/2/2005	No	No	No

Technical comments:³ None.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS
1ST SESSION

H. R. 1904

To suspend temporarily the duty on lutetium oxide.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2005

Mr. DELAY introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on lutetium oxide.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. LUTETIUM OXIDE.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

“	9902.04.75	Lutetium oxide (CAS No. 12032–20–1) (provided for in subheading 2846.90.80) ..	Free	No change	No change	On or before 12/31/2009	”.
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8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

